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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

MYRNA I. JOHNSON,

Plaintiff,

v.

FRED MEYER STORES, INC., a Delaware  
corporation; and JAIME SAN MIGUEL,

Defendants.

Case No. 1J-04-008-CV (RRB)

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**DECLARATION OF JAMES R. DICKENS IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, James R. Dickens, declare under oath as follows:

1. I am an attorney with Miller Nash LLP, one of the attorneys for the defendants in the above-referenced matter. I make this declaration based on my personal knowledge and the records and files herein.

2. I deposed plaintiff Myrna Johnson on January 23, 2006. Attached as Exhibit A are true and correct copies of selected deposition transcript pages from Ms. Johnson's deposition, numbered Ex. A, p. 1, through Ex. A, p. 105, for convenience in referencing.

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3. I attended the deposition of individual defendant Jaime San Miguel on January 24, 2006. Attached as Exhibit B are true and correct copies of selected deposition transcript pages from Mr. San Miguel's deposition, Ex. B, p. 1, through Ex. B, p. 22.

4. I attended the deposition of Fred Sayre on January 27, 2006. Attached as Exhibit C are true and correct copies of selected deposition transcript pages from Mr. Sayre's deposition, Ex. C, p. 1, through Ex. C, p. 11.

5. I attended the deposition of Johnna Havard on January 25, 2006. Attached as Exhibit D are true and correct copies of selected deposition transcript pages from Ms. Havard's deposition, Ex. D, p. 1, through Ex. D, p. 19.

6. Attached as Exhibit E is a true and correct copy of Myrna Johnson's deposition exhibit No. 2, from January 23, 2006.

7. Attached as Exhibit F is a true and correct copy of Myrna Johnson's deposition exhibit No. 4, from January 23, 2006.

8. Attached as Exhibit G is a true and correct copy of Myrna Johnson's deposition exhibit No. 5, from January 23, 2006.

9. Attached as Exhibit H is a true and correct copy of Myrna Johnson's deposition exhibit No. 6, from January 23, 2006.

10. Attached as Exhibit I is a true and correct copy of Myrna Johnson's deposition exhibit No. 7, from January 23, 2006.

11. Attached as Exhibit J is a true and correct copy of Myrna Johnson's deposition exhibit No. 8, from January 23, 2006.

12. Attached as Exhibit K is a true and correct copy of Myrna Johnson's deposition exhibit No. 9, from January 23, 2006.

13. Attached as Exhibit L is a true and correct copy of Myrna Johnson's deposition exhibit No. 11, from January 23, 2006.

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14. Attached as Exhibit M is a true and correct copy of Myrna Johnson's deposition exhibit No. 12, from January 23, 2006.

15. Attached as Exhibit N is a true and correct copy of Myrna Johnson's deposition exhibit No. 13, from January 23, 2006.

16. Attached as Exhibit O is a true and correct copy of Myrna Johnson's deposition exhibit No. 14, from January 23, 2006.

17. Attached as Exhibit P is a true and correct copy of Myrna Johnson's deposition exhibit No. 15, from January 23, 2006.

18. Attached as Exhibit Q is a true and correct copy of Myrna Johnson's deposition exhibit No. 18, from January 23, 2006.

19. Attached as Exhibit R is a true and correct copy of Myrna Johnson's deposition exhibit No. 21, from January 23, 2006.

20. Attached as Exhibit S is a true and correct copy of Myrna Johnson's deposition exhibit No. 25, from January 23, 2006.

21. Attached as Exhibit T is a true and correct copy of Myrna Johnson's deposition exhibit No. 37, from January 23, 2006.

22. Attached as Exhibit U is a true and correct copy of Myrna Johnson's deposition exhibit No. 42, from January 23, 2006.

23. Attached as Exhibit V is a true and correct copy of a June 28, 2002 letter from the Alaska State Commission for Human Rights to which was attached a copy of plaintiff's First Amended Complaint with ASCHR.

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24. Attached as Exhibit W is a true and correct copy of Myrna Johnson's First Amended Complaint (signed by her on June 25, 2002) filed with ASCHR.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNED at Seattle, Washington, on July 31, 2006.

s/ James R. Dickens

Certificate of Service

I hereby certify that on July 31, 2006, a copy of the foregoing was served electronically on:

Mark Choate  
lawyers@choatelawfirm.com

s/ James R. Dickens

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